

Hearing Dates for Hazardous Air Pollutant Rule

Wisconsin Department of Natural Resources (WDNR), Bureau of Air Management (Air Program) has been working on drafting rule revisions to their Hazardous Air Pollution rule, chapter NR 445, for over two years.

In June, the Air Program received approval from the Natural Resources Board to go to public hearing on the rule revisions. They have set the following hearing dates around the state.

✓ Monday **August 19** at 4:00 pm
Appleton Public Library, 225 N. Oneida St., Appleton

✓ Tuesday **August 20** at 4:00 pm
Auditorium, Wood Cty Courthouse, 400 Market St., Wisconsin Rapids

✓ Thursday **August 22** at 2:00 pm
Jury Assembly Room, La Crosse Cty Courthouse, 333 Vine St., La Crosse

✓ Monday **August 26** at 1:30 pm
Room 027, Gef #2, 101 South Webster St., Madison

✓ Tuesday **August 27** at 4:00 pm
Room 141, DNR Southeast Hdqr, 2300 N. Dr. Martin Luther King Jr. Drive, Milwaukee

Written comments may also be submitted through **September 13, 2002**.
Mail them to:

Caroline Garber
Bureau of Air Management - AM/7
PO Box 7921
Madison, WI 53707-7921

For more details on the draft rule revisions, go to page 7. You can get copies of the draft rule from WDNR's web site (type on one line in browser):
<http://www.dnr.state.wi.us/org/aw/air/hot/NR445rev/NR445rev.htm> ♦

New From the Small Business Clean Air Assistance Program...

✓ Permit Application Forms in PDF - go to wienvirohelp.com and look at our Publications page.

✓ Practical Guide to Environmental Management for Small Business - available soon, contact us now and we'll mail a copy as soon as final version is printed.

To order:
call (608) 264-6153
or (608) 267-9214;
fax (608) 267-0436;
or email CleanAir@commerce.state.wi.us

Recently Proposed MACT Standards

Part of the Clean Air Act Amendments (CAAA) of 1990 was the listing of categories that would be required to meet a standard called Maximum Achievable Control Technology (MACT). When US Environmental Protection Agency (USEPA) set out these categories, they divided the list into sets of categories that would have standards final-

ized within two, four, seven and ten years after the CAAA of 1990.

USEPA did not issue all the rules within those given time frames and by the time they reached the list of 10-year categories they were far behind. Few of those rules had been issued by

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MACT Standards

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2000. An extended deadline was set for May of 2002. This past year, USEPA has issued a flurry of proposed rules to meet that deadline. To give you both an opportunity to comment on a proposed rule as well as time to prepare for or find ways to avoid a final rule, we will be attempting to notify potentially affected sources through post card mailings. Once a rule is final, you still have three years to comply with the rule. (See the side bar for the list of categories.)

USEPA is rushing to catch up on issuing the 10-year MACT standards that were due for promulgation in 2000.

Advance notice on these rules is the best way to start dealing with the potential requirements. It may take a few years to fully evaluate and then act on ways to change your operations to reduce or eliminate the pollution that would cause you to be affected by the rule. Most of these rules require you to reduce or control your hazardous air pollution by over 95 percent, and while they don't require add-on control devices, that may be your only option if you wait to react until after the rule is final. Even if you don't have to install an add-on control device to meet the rule, the other compliance options will still involve detailed records and complex calculations over short periods of time (as short as on a daily basis).

You may be able to change your operations to reduce the emissions just to the level at which you would be considered exempt from the requirements of most MACT standards: potential emissions of 10 tons per year of any single hazardous air pollutant or 25 tons per year of all hazardous air pollutants combined. For you, this may be less than a 95 percent reduction. If you make such changes far in advance of the compliance date for a MACT standard, to the extent that you are exempt from the rule, you will greatly reduce your record keeping burden. The options will vary for each business.

Feel free to contact the SBCAAP if you think you might be affected by one of these rules and would like information about the rules and possible ways to avoid them. ♦

MACT Standards

Recently Finalized

- ✓ Boat Manufacturing and Repair
- ✓ Leather Finishing
- ✓ Wet Formed Fiberglass Mat Production
- ✓ Metal Coil Coating

Recently Proposed

- ✓ Asphalt Roofing and Processing
- ✓ Engine Test Cell Firing
- ✓ Flexible Polyurethane Foam Fabrication
- ✓ Friction Products Manufacturing
- ✓ Large Appliance Coating
- ✓ Metal Furniture Coating
- ✓ Miscellaneous Metal Parts Coating
- ✓ Reinforced Plastic Composites (Fiberglass)
- ✓ Tire Manufacturing
- ✓ Wood Building Products Surface Coating

Expected to be Proposed in 2002

- ✓ Auto and Light Duty Truck Surface Coating
- ✓ Fabric Printing, Coating and Dyeing
- ✓ Industrial, Commercial, Institutional Boilers and Process Heaters
- ✓ Metal Can Surface Coating
- ✓ Plastic Parts Surface Coating
- ✓ Plywood & Composite Wood Products
- ✓ Reciprocal Internal Combustion Engines

Check EPA's Air Toxics web site for more details on each of these categories:

www.epa.gov/ttn/atw/eparules.html

EMS Tool for Small Business from USEPA

The USEPA Small Business Division is in the process of finalizing its draft version of the *Practical Guide to Environmental Management for Small Businesses (Guide)*. With input from small business assistance providers, trade associations, and small business contacts, the *Guide* is sure to be a useful tool for small business owners. The *Guide* was introduced during a series of workshops across the United States for small business assistance providers, including Wisconsin's Small Business Clean Air Assistance Program (SBCAAP).

After incorporating comments received during the final workshop held at the Small Business Assistance Programs/Small Business Ombudsman's National Conference in Chicago on July 1-3, 2002, the final *Guide* will be published and distributed in August 2002. Contact a SBCAAP clean air specialist to obtain a copy of the *Guide* as soon as they are published.

The *Guide* is written in plain, straightforward language, free of confusing acronyms, so that readers can understand and use the information regardless of their knowledge about environmental management. It steers the small business person through the steps to put in place a functional and efficient environmental management program. It stresses the benefits of improved environmental management: lower costs, higher productivity, and fewer surprises. It is structured so that small business personnel can proceed at their own pace yet see immediate results. If a small business follows all of the *Guide's* recommendations from start to finish, they will find that they have all the elements necessary to put in place a formal Environmental Management System.

The Six Main Sections of the *Guide*:

- ✓ Section I (the Introduction) explains what the *Guide* is intended to offer a small business. The *Guide* focuses briefly on regulations, and looks at saving money, becoming efficient and increasing appeal to customers and the community.
- ✓ Section II of the *Guide* covers how a business affects the environment, what environmental rules may apply, and where to find out more about them.
- ✓ Section III shows ways to save money by using less energy, conserving water, and reducing waste.
- ✓ Section IV is about taking previous environmental management efforts and getting them organized so that they will be easier to maintain.
- ✓ Section V explains how to develop and strengthen relationships with those outside the business, to show off the business's efforts to its customers and the community, and how to improve environmental performance.
- ✓ Section VI explains what an Environmental Management System is and the reasons a small business person may want to have one.

For more information on the *Guide*, you can contact SBCAAP staff or:

Daniel Eddinger
US EPA, Small Business Division
(202) 260-1133 or
edding.daniel@epa.gov



New Resources Available from USEPA

Commuter Choice Leadership

The Commuter Choice Leadership Initiative, supported by the USEPA and US Department of Transportation, has a new web site.

The goal of the Commuter Choice program is to reduce the traffic and air pollution equivalent to 15 million cars. This new web site will provide information to employers on what it takes to join Commuter Choice and the benefits to both the employer and employee. The web site includes a list of over 200 employers who have already committed to meeting the National Standard of Excellence for employer-provided commuter benefits and qualifying them as Commuter Choice Employers.

The Web site is:

www.commuterchoice.gov



ABC's of Hazardous Waste Management for Foundries

Are you the person responsible for the hazardous waste compliance of your foundry? Would you like a quick reference on the hazardous waste requirements?

USEPA and the American Foundry Society (AFS) developed a poster with some of the basics on the hazardous waste regulations as they pertain to foundries, as well as suggestions on how to reduce wastes. To obtain a copy of the poster you can contact:

✓ SBCAAP by calling 608/264-6153 or sending an email to CleanAir@commerce.state.wi.us

✓ Your foundry sector specialist at DNR, Susan Lindem, by calling 608/267-0567 or sending an email to susan.lindem@dnr.state.wi.us

✓ AFS by calling 800/537-4237 or sending an email to gmosher@afsinc.org ❖

Regulatory Reform for Small Businesses (continued from back)

Small Business Regulatory Reform Task Force Members

- Steven Davis - Ardy & Ed's Drive Inn
- Patrick Flynn - Westra Construction
- Nick George - Wisconsin Manufacturers and Commerce
- Tom Howells - Wisconsin Motor Carriers
- Art Imig - Art Imig's Clothing Care Center
- David Lorbecki - Dave's Piggly Wiggly
- Jeff Machut - Americinn of Madison

- Sue Peterson - Wisconsin Automotive Collision Technicians Assoc. LTD
- Bill Smith* - National Federation of Independent Business
- David Storey* - Wisconsin Department of Commerce
- Pete Van Horn - Van Horn Construction
- Amy Winters - WI Agribusiness Council

*Task Force Co-Chairman ❖

New Permit Resources on SBCAAP Web Site

For anyone who has struggled with obtaining Air Permit documents from WDNR's web site, SBCAAP has a solution for you.

WDNR has had their permit documents available electronically for some time. The problem is the documents are available in Microsoft Word format in a zipped file. You would need the appropriate computer software to both unzip the file and then open the file to use it. While the unzip software comes in some free formats, MS Word can be expensive and many people don't own it. While "zipping" the file keeps it small for downloading from the internet, once unzipped, a large file can cause problems on older, slower computers.

We have converted the DNR Air Permit documents to the Adobe Portable Document Format (PDF) to make it easier for businesses to obtain and read the files electronically. Adobe Acrobat has a software program called the Acrobat Reader, which is available to anyone free of charge. We have also separated the more than thirty application forms into different sections, and provided some extra guidance about who might need them, as well as how and when it is most appropriate to use the forms in that section. Now you won't need to deal with one big cumbersome file.

You'll find the files on our Publications page (from our main page via www.wienvirohelp.com use the menu on the left side to get there) at the very end of the section "Air Permit Information for Any Sector." (It's just above the next section, "Air Compliance Information for Any Sector.")

To get the Acrobat Reader, just download it from the Adobe web site and install it on your hard drive. Visit the site at www.adobe.com and find the "Get Acrobat Reader" button. Follow that to the download page and download the program.❖

Council's Corner... 2001 Activities

The Small Business Environmental Council (SBEC) has been developing new ways to make businesses aware of its role. The council is charged with reviewing and commenting on how WDNR disseminates information to small businesses, whether the information provided is readable by someone with no technical training, whether new air regulations meet the paperwork reduction act, and notifying WDNR of any difficulties encountered by small businesses trying to comply with the air regulations.

To help businesses understand what that might entail, the Wisconsin SBEC has put out an annual report. The 2001 Annual Report for the SBEC contains a description of the group and its key charges under section 507 of the Clean Air Act Amendments of 1990 followed by a brief summary of the SBEC's activities during 2001. It also contains a list of the members with contact information on the back page.

We have made the 2001 Annual Report for the SBEC available on our web site at:

<http://www.wienvirohelp.com>

From our main page, click on "Small Business Environmental Council" on the left menu bar and then, just before the list of Council Members, click on "2001 Annual Report" for the Portable Document Format (PDF) file. You need to have the Adobe Acrobat Reader to read the PDF file.

If you would like a hard copy, please contact SBCAAP staff as shown on the back page of the newsletter. ❖

ENERGY STAR® Labels and Energy Efficient Buildings

What is ENERGY STAR®?

“ENERGY STAR® is a voluntary partnership between businesses, government and others united to protect our environment for future generations by changing energy-efficient practices today.”

ENERGY STAR Buildings have effectively improved energy efficiency, enhanced profits due to energy cost savings, and ultimately create a competitive advantage.



Benefits of ENERGY STAR:

Buildings that have earned the ENERGY STAR label are 40 percent more energy efficient than average buildings. Office buildings earning the ENERGY STAR label cost \$0.86 per square foot less per year to operate as compared to average buildings.

How to become an ENERGY STAR Building?

There is no single path to becoming apart of the ENERGY STAR Program. Some common elements include:

- ✓ Application of good practice technologies (85 percent utilize an energy management control system),
- ✓ Good operating practices (99 percent perform regular operations and maintenance)

For more information on ENERGY STAR contact the ENERGY STAR Hotline at 1-888-STAR-Yes or visit them on the web at www.energystar.gov.

Some ENERGY STAR Labeled Buildings:

Green Bay:

Green Bay State Office Building
Hoffman Corporation

Madison:

U.S. Courthouse

Milwaukee Area:

Milwaukee High School of The Arts
Christopher Latham Sholes Middle School
Brown Street Academy Elementary School
William Cullen Bryant Elementary School
Luther Burbank Elementary School
Morgandale Bilingual Development Center
Samuel Clemens Elementary School
Anna F Doerfler Elementary School
Dover Street Elementary School
Eighty-First Street Elementary School
Alexander Mitchell Elementary School
Ralph Waldo Emerson Elementary School
Milwaukee Spanish Immersion School
Golda Meir Gifted & Talented School
Greenfield Montessori Elementary School
Hampton Avenue Elementary School
Hartford Avenue University K-8 School
Hawley Road Environmental Studies
Hi-Mount Boulevard Community School
Hopkins Street Elementary School
Ninety-Fifth Street Elementary School
Byron Kilbourn Elementary School
Lincoln Avenue Elementary School
Henry Longfellow Elementary School
Moltke Academy
Fernwood K-8 School
Cass Street K-8 School
Kagel Elementary School
James Whitcomb Riley Elementary School
Silver Spring Elementary School
Richard Kluge Elementary School
Thirty-Seventh Street Elementary School
Tippecanoe Es For The Humanities
Trowbridge Street Elementary School
Phillis Wheatley Elementary School
Wisconsin Avenue Elementary School
Federal Building and U.S. Courthouse
John Greenleaf Whittier Elementary School
West Bend Mutual Insurance Building ❖

Hot Topics in DNR's Air Program

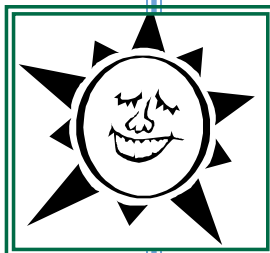
Check them out at: www.dnr.state.wi.us/org/aw/air/hot/index

NR 445 Rule - Update on Changes to Proposed Rule and Hearings for Public Comment

WDNR's Air Program has been working on the revisions to chapter NR 445, the hazardous air pollutant rule, for over two years. A proposed rule has been approved by the Natural Resources Board to go to public hearing (see cover story). The SBCAAP has worked within the Technical Advisory Group on the Small Business Impact workgroup to address how a draft version of the rule might affect small businesses.

In November and December of 2001, SBCAAP staff interviewed 10 small businesses to see what they thought of the changes WDNR has been working on. Providing a list of the new chemicals proposed for the revision that categorized them by process types help the businesses spend only a couple hours each to determine if they had any of the chemicals in their existing raw materials. Many suggested WDNR provide similar guidance with the final rule.

WDNR had made an initial proposal to relax the process of determining if the emission standards apply for really small sources - incidental emitters. Based on the businesses interviewed, it was obvious that WDNR's initial proposal would provide little relief for small businesses as too few would meet the criteria. The final proposal contained a higher emissions cut-off to allow certain small businesses to use the less complex process of determining if the emissions standard applies. Now businesses with less than three (3) tons per year of volatile organic compounds or five (5) tons per year of particulate matter can say that the emissions standard would not be likely to apply. WDNR retained the right to review such businesses if more information surfaced at a later date or complaints were received about a particular business. ❖



Redesignation for Wisconsin's Ozone Non-attainment Areas Sideline by Hot Weather in June and July

Based on the ozone data for the 1999 – 2001 time frame, the non-attainment area in northwestern Indiana and the Chicago and Milwaukee metropolitan areas would have been eligible for redesignation to attainment status. Air management staff in Wisconsin had nearly completed proposed plans for their portion of the redesignation request to be submitted to EPA. In fact, Wisconsin conducted the first public hearing for its redesignation request on Monday, June 24, 2002.

Despite progress in reducing air pollutants that contribute to the ozone problem in Wisconsin, the hot, humid weather, and long hours of sunlight over the past few weeks resulted in multiple exceedances of the one-hour ozone standard

**Call the toll-free hotline for daily air quality information:
1-866-DAILY AIR.**

between June 22 and June 25. This means that the six severe non-attainment counties in southeastern Wisconsin (Kenosha, Milwaukee, Ozaukee, Racine, Washington and Waukesha) will not be eligible to be redesignated to attainment of the one-hour ozone standard by the EPA this year.

Originally, the Lake Michigan region (including IL, MI and IN) was expected to reach attainment status in 2007. Reaching that goal five years early would have represented a significant milestone for regional air quality improvement and regional public health. Now, however, Wisconsin's request for redesignation will be submitted only for Manitowoc and Door Counties. ❖

Regulatory Reform for Small Businesses

Governor McCallum recently created a task force to examine the regulatory climate facing Wisconsin's smaller businesses. The Small Business Regulatory Reform Task Force has been discussing ways to improve compliance with regulations without imposing unnecessary inconvenience or cost on small businesses.

"Small businesses have fewer resources to meet regulatory requirements than do their larger counterparts," Gov. McCallum said. "We need to reduce the negative impact of state rules and regulations on small businesses, which are the backbone of our economy."

Regulatory Reform Task Force Charged

The Task Force will examine the existing statutory provisions, administrative rules, and other state policies related to the regulatory process, and recommend actions or legislative changes needed to ensure efficient and cost effective regulations. Members of the task force include small business

owners and trade associations representing small business interests. The group has met several times and has compiled a list of regulatory issues and concerns facing smaller business in their day-to-day operations.

Comments for the Task Force

Wisconsin small business owners may wish to provide comments and suggestions to task force members on regulatory issues affecting their daily operations and bottom line. Based on feedback received, the task force members will be forming recommendations and submitting them to Governor Scott McCallum in early fall 2002.

For more information or to submit your thoughts or recommendations on regulatory reform for small businesses, contact Wisconsin Department of Commerce Small Business Ombudsman, Pam Christenson at 608-267-9384 or pchristenson@commerce.state.wi.us.

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WISCONSIN DEPARTMENT OF COMMERCE

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- ☐ Environmental Manager
- ☐ Health & Safety Manager
- ☐ Plant Manager, or
- ☐ Owner/President